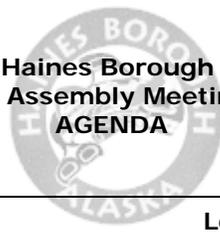


Haines Borough
Borough Assembly Meeting #267
AGENDA



April 8, 2014 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Stephanie Scott,
Mayor

Dave Berry Jr.,
Assembly Member

Diana Lapham,
Assembly Member

Debra Schnabel,
Assembly Member

Joanne Waterman,
Assembly Member

George Campbell,
Assembly Member

Jerry Lapp,
Assembly Member

David Sosa,
Borough Manager

Julie Cozzi,
Borough Clerk

Michelle Webb,
Interim Clerk

Krista Kielsmeier,
Deputy Clerk

1. CALL TO ORDER/PLEDGE TO THE FLAG

2. ROLL CALL

3. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk () and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]*

Consent Agenda:

- 4 – Approval of Minutes
- 8B – Sheldon Museum and Cultural Center Director Report
- 9A – Tourism Advisory Board Minutes
- 9B – Downtown Revitalization Committee Minutes
- 9C – Historic Dalton Trail Road Maintenance Service Area Minutes
- 9D – Klehini Valley Volunteer Fire Department Board / Fire Service Area #3 Minutes
- 9E – Sheldon Museum and Cultural Center Board of Trustees Minutes
- 10A – Findings of Fact & Conc. of Law for Big Salmon Ventures Conditional Use Permit
- 11A2 – Adoption of Resolution 14-04-548
- 11A3 – Adoption of Resolution 14-04-549
- 11A4 – Adoption of Resolution 14-04-550
- 11A5 – Adoption of Resolution 14-04-551
- 11B1 – Introduction of Ordinance 14-04-373
- 11B2 – Introduction of Ordinance 14-04-374
- 11B3 – Introduction of Ordinance 14-04-375
- 11C1 – Board Appointments
- 12A – Op Ed Piece from Mayor Scott for the Juneau Empire

***4. APPROVAL OF MINUTES – 3/4/14 Joint SB/BA Meeting and 3/25/14 Regular Meeting**

5. PUBLIC COMMENTS [Any topics not scheduled for public hearing]

6. MAYOR'S COMMENTS/REPORT

- A. Update on Petition to Intervene**
- B. Artplace America Site Visit Report**

7. PUBLIC HEARINGS

A. Ordinance 14-03-371 – Second Public Hearing

An Ordinance of the Haines Borough amending Borough Code Title 5 Subsection 5.04.130(A), Section 5.18.030, Chapter 5.20, and Section 5.22.010 to repeal commercial passenger vehicle permitting.

This ordinance is recommended by the commerce committee. The ordinance was introduced on 3/11. At the first public hearing on 3/25/14, the assembly requested several amendments, which have been presented as a substitute ordinance in the packet. The requested memo from the borough attorney is also included.

Motion: Adopt Ordinance 14-03-371.

B. Ordinance 14-02-370 - First Public Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to remove Haines Senior Assisted Living Inc. Property from the list of community purpose exemptions because it has been determined to be a required exemption under HBC 3.70.030(A) (3).

*This ordinance is recommended by the interim borough manager, the contract assessor, and the assistant assessor. It was set for a first public hearing on 3/25. However, additional correspondence was requested from the State Assessor regarding this matter, which is still pending. **Suggested Motion:** Postpone Ordinance 14-02-370 to the 4/22/14 borough assembly meeting.*

7. PUBLIC HEARINGS ---continued---

C. Ordinance 14-03-372 - First Public Hearing

An Ordinance of the Haines Borough amending Borough Code Title 3 section 3.60.080 to update the Borough Manager's purchasing authorization limits.

This ordinance is recommended by the finance committee, the manager, and the finance director. It was introduced on 3/25. **Motion:** Advance Ordinance 14-03-372 to a second public hearing on 4/22/14.

8. STAFF/FACILITY REPORTS

A. Borough Manager – Julie Cozzi prepared a final interim manager report

*B. Sheldon Museum and Cultural Center Director – Staff Report of 3/20/14

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

*A. Tourism Advisory Board – Report of 1/24/14 and 2/24/14 Meetings

*B. Downtown Revitalization Committee – Report of 3/24/14 Meeting

*C. Historic Dalton Trail Road Maintenance Service Area - Report of 3/22/14 Meeting

*D. Klehini Valley Volunteer Fire Department Board of Directors / Fire Service Area #3 - Report of 3/1/14 Meeting

*E. Museum Board of Trustees - Report of 1/16/14 and 2/14/14 meetings

F. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

*A. Findings of Fact & Conclusions of Law for Big Salmon Ventures Conditional Use Permit

On 3/25/14 the borough attorney presented the findings of fact and conclusions of law for the Big Salmon Ventures conditional use permit, which had been denied by the Planning Commission and then was reheard by the borough assembly. At the 3/25/14 meeting, the assembly requested a number of changes to be implemented during the recess of the meeting. After the recess, the meeting reconvened on 3/28/14 with a new draft of the findings of fact to review. A number of other amendments were requested of the borough attorney, and the item was postponed to this meeting. The newest draft of the findings of fact (as well as a redline version) are included in the packet for assembly review and possible adoption. Note: The assembly's vote on the draft findings is not an opportunity to change the outcome of the assembly's CUP action but does formalize the reasons for that decision.

Motion on the Table: Adopt the findings of fact and conclusions of law as drafted by the borough attorney for the Big Salmon Ventures heliport conditional use permit.

B. Testing of the Impact of Heliskiing Operations at 26 Mile Heliport

On 3/25/14 the assembly moved "that the Haines Borough Manager be directed to design, describe, and conduct the implementation of a test of the impact of heliskiing operations at 26 Mile heliport, which is conditionally approved for use in the 2015 season." The motion was then postponed to this meeting. Clerk's Note: Mayor Scott recommends amendment of this motion to change the words "a test of" to "monitoring".

Motion on the Table: That the Haines Borough Manager be directed to design, describe, and conduct the implementation of a test of the impact of heliskiing operations at 26 Mile heliport, which is conditionally approved for use in the 2015 season.

11. NEW BUSINESS

A. Resolutions

1. Resolution 14-04-547

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to pay for the operation and maintenance of a sauna at the Haines pool if the sauna is purchased with private funds.

This resolution is recommended by the administration. **Motion:** Adopt Resolution 14-04-547.

*2. Resolution 14-04-548

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with Arcticom for the E-911 and Dispatch Services Project for an amount not to exceed \$34,495.00.

This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 14-04-548.

*3. Resolution 14-04-549

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Carson Dorn, Inc. for an amount not to exceed \$113,000 for Haines Wastewater Treatment Plant Improvements Design.

*This resolution is recommended by the director of public facilities. **Motion:** Adopt Resolution 14-04-549.*

*** 4. Resolution 14-04-550**

A Resolution of the Haines Borough Assembly setting the date of the 2014 Board of Equalization for May 19.

*This resolution is recommended by the administration. **Motion:** Adopt Resolution 14-04-550.*

*** 5. Resolution 14-04-551**

A Resolution of the Haines Borough Assembly authorizing and designating certain persons to sign and endorse checks pertaining to the borough's First National Bank Alaska accounts, and authorizing certain persons as signatories for the borough's security cash accounts and investments.

*This resolution is recommended by the administration. **Motion:** Adopt Resolution 14-04-551.*

B. Ordinances for Introduction

*** 1. Ordinance 14-04-373**

An Ordinance of the Haines Borough repealing Chapter 2.68 of the Haines Borough Code and reenacting Chapter 2.68 as Title 11 with amendments to certain borough election and election contest procedures.

*This ordinance was discussed by the assembly committee-of-the-whole on 3/5 and again on 3/25. **Motion:** Introduce Ordinance 14-04-373 and set a first public hearing for 4/22/14.*

*** 2. Ordinance 14-04-374**

An Ordinance of the Haines Borough amending the Port of Haines Terminal Tariff No. 3 to provide for a 5% annual increase to the lightering facility flat fee and to clarify terms of facility use.

This ordinance is recommended by the harbormaster, interim manager, and finance director.

Motion: Introduce Ordinance 14-04-374 and set a first public hearing for 4/22/14.

*** 3. Ordinance 14-04-375**

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 Section 2.08.030 and 2.16.020 to modify the starting date of assembly member and mayor regular terms of office.

*This ordinance is recommended by the borough clerk. **Motion:** Introduce Ordinance 14-04-375 and set a first public hearing for 4/22/14.*

C. Other New Business

*** 1. Board Appointments**

*Appointment applications have been received for seats on the Chilkat Center Board and seats on the Downtown Revitalization Board. These boards have reviewed these applications and the mayor plans to make the appointments. She seeks assembly confirmation. **Motion:** Confirm the mayor's appointment of Lorraine Dudzik to the Chilkat Center Advisory Board for a term ending 11/2017, and Christy Fowler and Heather Lende to the Downtown Revitalization Committee.*

- * 2. Manager Request for Approval of Contract Sum Exception** - *The interim manager has determined it to be in the best interest of the borough to contract with the borough mechanic at a higher sum than \$500 per year for use of his service truck. As provided in HBC 2.62.030 (recently adopted Ordinance 14-01-364), the manager requests assembly approval of this exception by motion. **Motion:** Approve the manager's request for an annual contracting exception of up to \$5,000 for Jonathan Sheets.*

3. Winter Tourism Study

Staff seeks direction from the assembly regarding the proposal in the packet from McDowell Group in the amount of \$29,000 for a study of the economic impacts of winter season activities in Haines. If the assembly accepts this proposal, staff will prepare a budget amendment to request funds from the FY14 budget. Fund balance from Fund 23 (Economic Development and Tourism Promotion) would be allocated for this study.

Possible Motion: Accept the McDowell Group proposal for a tourism study of the economic impacts of winter season activities in Haines and request a budget amendment to the FY14 budget to allocate fund balance from Fund 23 (Economic Development and Tourism Promotion) for this study.

12. CORRESPONDENCE/REQUESTS

***A. Op Ed Piece from Mayor Scott for the Juneau Empire**

Motion: Support Mayor Scott's request to send the attached op ed piece to the Juneau Empire newspaper.

13. SET MEETING DATES

A. Committee-of-the-Whole - Local Legislative Priorities, Part 2 needs to be rescheduled. Note: this meeting was initially scheduled for April 29th, but a budget Committee-of-the-Whole was set for that time.

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT